

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

GINNY HUMPHREY, as Parent and
Legal Guardian of Minor Child, O.H.,
Plaintiff,

V.

RICKIE FRIAR, RITA STANBACK, and
FRANK TENNANT,
Defendants.

No. 2:17-cv-2741-SHL-atc

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING
PLAINTIFF'S COUNSEL'S REVISED EMERGENCY MOTION FOR
APPOINTMENT OF A GUARDIAN AD LITEM FOR MINOR CHILD
O.H. AND APPOINTING ATTORNEY MICHAEL GREGORY DERRICK
AS GUARDIAN**

Before the Court is Magistrate Judge Annie T. Christoff’s (“Magistrate Judge”) Report and Recommendation (sealed) (ECF No. 197), filed February 10, 2021, recommending that the Court grant Plaintiff’s Counsel’s Revised Emergency Motion for Appointment of a Guardian Ad Litem for Minor Child O.H., (ECF No. 138) (“the Motion”), filed September 17, 2020. The Magistrate Judge further recommends that, if the Court accepts the recommendation that a Guardian should be appointed, Attorney Michael Gregory Derrick should be appointed as the Rule 17(c)(2) Guardian Ad Litem.¹

A magistrate judge may submit to a judge of the court recommendations for the determination of certain pretrial matters. 28 U.S.C. §§ 636(b)(1)(A)–(B). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects. Fed. R. Civ. P. 72(b)(2); see also Fed. R. Civ. P. 72(b)(3). Pursuant to the

¹ As noted in the Report, the Parties agree to Mr. Derrick's appointment. (ECF No. 197 at PageID 1813.)

Third Scheduling Order, (ECF No. 174), the Parties were given seven (7) days to “serve and file written objections to the proposed findings and recommendations.” (ECF No. 197 at PageID 1813-14 (citing Fed. R. Civ. P. 72(b)(2), as modified by the Third Scheduling Order).)

None of the Parties have filed an objection, and the deadline to do so has now passed. The Court has reviewed the Report for clear error and finds none. Therefore, the Court **ADOPTS** the Magistrate Judge’s Report and hereby **GRANTS** the Motion and **APPOINTS** Attorney Michael Gregory Derrick as the Rule 17(c)(2) Guardian Ad Litem.

IT IS SO ORDERED, this 25th day of February, 2021.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE